

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION**

CHRISTINA BAZEMORE,	:	
	:	
Plaintiff,	:	CASE NO. _____
v.	:	
	:	
JEFFERSON CAPITAL SYSTEMS, LLC,	:	Removed from the Superior
	:	Court of Laurens County, Georgia
	:	Civil Action No. 2014-CG-0625
Defendant.	:	

NOTICE OF REMOVAL

Defendant Jefferson Capital Systems, LLC (“Defendant” or “Jefferson Capital”), by undersigned counsel and pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446, hereby removes this action from the Superior Court of Laurens County, Georgia to the United States District Court for the Southern District of Georgia, Dublin Division. Removal is based on federal question jurisdiction because Plaintiff asserts claims arising under the laws of the United States. In support of this Notice, Defendant states as follows:

I. Background

1. On or about September 2, 2014, Plaintiff filed her complaint (“Complaint”) in the Superior Court of Laurens County, Georgia, Case No. 14-CG-0625.
2. The Complaint seeks relief pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (the “FDCPA”) and state law.
3. On September 17, 2014, Defendant was served with a copy of the Complaint. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders filed are attached collectively as **Exhibit A**.
4. Jefferson Capital is the only defendant named in the Complaint.

**II. This Court has Jurisdiction Under
28 U.S.C. § 1331 AND 28 U.S.C. § 1367(a) and Venue is Proper**

5. This Court has original jurisdiction over this action under 28 U.S.C. § 1331, which provides: “The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331.

6. Pursuant to 28 U.S.C. § 1441(b), “[a]ny civil action of which the district courts have original jurisdiction founded on a claim or right arising under the Constitution, treaties or laws of the United States shall be removable without regard to the citizenship or residence of the parties.”

7. Specifically, this Court has original jurisdiction of this action because Plaintiff’s allegations arise under the FDCPA.

8. Further, this Court has supplemental jurisdiction over Plaintiff’s state law claim pursuant to 28 U.S.C. § 1367(a), which provides that “in any civil action of which the district courts have original jurisdiction, the district courts shall have supplemental jurisdiction over all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution.” Specifically, this Court has supplemental jurisdiction over Plaintiff’s claims which are all related to the alleged violation of the FDCPA.

9. Venue is appropriate in this Court, and Defendant seeks to remove this case to the United States District Court for the Southern District of Georgia pursuant to 28 U.S.C. § 1441(a). Laurens County, Georgia is located within this District and cases arising in the Superior Court of Laurens County, Georgia are properly assigned to this Court. See 28 U.S.C. § 90(c)(2).

III. Notice of Removal is Filed Timely

10. The removal of this action to this Court is timely under U.S.C. § 1446(b) because this *Notice of Removal* is filed within thirty (30) days after September 17, 2014, which is the date that Defendant was served with Plaintiff's Complaint.

IV. All Other Procedural Requisites for Removal are Satisfied

11. Pursuant to 28 U.S.C. § 1446(a)(2)(A), this removal is filed on behalf Jefferson Capital the only named defendant in Complaint.

12. This case is not precluded from being removed under 28 U.S.C. § 1445 because: (a) it is not brought against a railroad or its receivers or trustees, arising under 45 U.S.C. 51–54, 55–60; (b) it is not brought against a carrier or its receivers or trustees to recover damages for delay, loss or injury of shipments arising under section 11706 or 14706 of title 49; (c) it does not arise under the workmen's compensation laws; and (d) it does not arise under Section 40302 of the Violence Against Women Act of 1994.

13. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings, and orders served upon Defendant are attached hereto as **Exhibit A**.

14. In accordance with 28 U.S.C. § 1446(d), a true and correct copy of this Notice of Removal will be promptly filed with the Clerk of the Court of Superior Court of Laurens County, Georgia and served upon all parties of record. *See Notice of Removal to Federal Court*, attached as **Exhibit B**.

WHEREFORE, Defendant Jefferson Capital Systems, LLC respectfully requests that the above-captioned action now pending in the Superior Court of Laurens County, Georgia be removed to the United States District Court for the Southern District of Georgia, and that this

District Court enter such other and further orders as may be necessary to accomplish the requested removal.

Dated: October 13, 2014

Respectfully submitted,

McGUIREWOODS LLP

/s/ Daniel L. Delnero

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Counsel for Jefferson Capital Systems, LLC

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2014, I filed the foregoing *Notice of Removal* with the Clerk of the Court using the CM/ECF system, and served a true and correct copy by depositing a copy of same into the United States mail, with sufficient postage affixed thereto, addressed as follows:

David E. Hudson
Chris A. Cosper
HULL BARRETT, P.C.
Post Office Box 1564
Augusta, Georgia 30903-1564

Respectfully submitted,

s/ Daniel L. Delnero

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